



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
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March 17, 2014

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Re: Metal Bank Superfund Site – Comments by Utility Group on EPA’s proposed ESD No. 3

Dear Dan and Jeff:

This letter responds to technical issues raised in footnote 1 of your January 21, 2014 letter commenting on EPA’s proposed Explanation of Significant Differences (“ESD”) No. 3 for the Metal Bank [Cottman Avenue] Superfund Site (the “Site”).

The comment in footnote 1 states, “. . . [T]hat paragraph V.1 on pages 8-9 of the ESD lists seven ‘remedial systems’ in the upland portion of the Site but identifies ‘prohibited activities’ with respect to only four of those seven systems.” The Group then requests that EPA identify prohibited activities for all seven upland remedial systems at the Site.¹ EPA has carefully considered the Group’s request and will include in the ESD additional examples of “prohibited” activities addressing all remedial systems at the Site. As defined in the proposed ESD, “prohibited” activities are ones that should not be undertaken without prior written permission from EPA to ensure that they will not adversely impact the implemented remedial action in any way (See § V.1 of the proposed ESD).

The Group has also asked EPA to clarify “specifically prohibitions on activities that could compromise the epoxy coating on Building 7 or the sheet pile wall.” EPA will revise the ESD to describe with greater specificity prohibited activities affecting these two remedial systems.

With respect to the epoxy coating on Building 7, EPA has revised the language in the ESD to clarify that the epoxy coating exists only on the floor of Building 7 and not the entire building. As such, only activities that would potentially damage the epoxy coating on the concrete-floor slab of Building 7, including, among other things, breaking up and disposal of the concrete slab, would require EPA’s prior written approval.

¹ After consulting with the Group about its comments, EPA notes that there are just six, not seven, remedial systems in place on the upland portion of the Site—namely, the soil cover, the monitoring wells, the epoxy coating on the concrete slab of Building No. 7, the sheet-pile wall, the LNAPL trench, and the security measures to limit access to the Site.

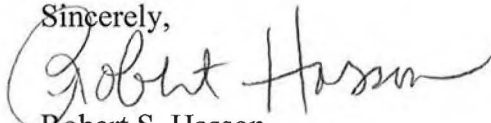


EPA will also supplement the draft ESD with particular examples of prohibited activities that would disturb or interfere with the sheet-pile wall. These activities include, but are not limited to, excavation of the soil behind the wall, especially in the location of the dead man anchors (approximately 50 feet behind the wall); attaching structures such as docks or walkways to the wall; any changes to the waterside portion of the wall including excavation of the dredge line or changes to the bathymetry that would promote scour in front of the wall. Additionally, any significant loading on any portion of the site contained by the sheet-pile wall will need to be designed and analyzed by a licensed Professional Engineer in the Commonwealth of Pennsylvania.

Finally, EPA will make clear in the ESD that certain activities at the Site causing a fundamental modification to the remedial action selected in the 2006 Consent Decree would likely also need approval by the U.S. District Court. Examples of "fundamental" modifications include, among other things, removal of the soil cover or the subaqueous caps, or dismantling of the sheet-pile wall.

The Group should contact Will Geiger at (215) 814-3413 if it has any further technical questions about the ESD. You should feel free to contact me if you wish to discuss this matter further.

Sincerely,



Robert S. Hasson
Senior Assistant Regional Counsel

cc: Will Geiger, Remedial Project Manager (3HS21)



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